

Amendments to the Claims

Claim 1 (Currently amended): A computer-implemented method for facilitating a services

marketplace between multiple buyers and sellers of services, comprising:

defining a set of service classification and material terms;

registering a plurality of participants of the service marketplace;

~~searching and compiling at least one offer~~ offers to sell services and one request for offers

requests to buy services provided by said participants ~~for selling or buying services~~,

wherein the ~~offer~~ offers and the ~~request for offer~~ is requests are described in said set of

service classification and material terms;

automatically evaluating and matching the ~~offer~~ offers and the ~~request for offer~~ requests, without

human intervention, based upon the degree of identicalness of said set of service

classification and material terms recited in the ~~offer~~ offers and the ~~requests~~ request for

offer; and

communicating to matched participants of the result generated by the evaluating and matching

step[.]; and

the offers being unknown to service buyers and requests being unknown to service sellers prior to

the communicating step.

Claim 2 (Currently amended): A computer-implemented method for facilitating a services

marketplace according to claim 1, further comprising a step of making the offer and the request

~~for offer~~ accessible for consideration by the participants.

Claim 3 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of settling a transaction based upon said set of service classification and material terms recited in the matched offer and the matched request-for-offer.

Claim 4 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of arbitrating a dispute regarding said set of service classification and material terms recited in the matched offer and the matched request-for-offer.

Claim 5 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 3, further comprising a step of assisting the matched participants to fulfill the transaction based upon said set of service classification and material terms recited in the matched offer and the matched request-for-offer.

Claim 6 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1, wherein the searching and compiling step includes organizing at least one of retaining session, off-retaining session, accumulating session, and double session.

Claim 7 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of data-mining the offer-offers and the request-for-offer-requests to discover at least one transactional attribute of one, a portion, or all of the participants.

Claim 8 (Original): A computer-implemented method for facilitating a services marketplace according to claim 7, further comprising a step of simulating the marketplace based upon the results of the data-mining step and operational constraints of one of said participants, wherein the operational constraints includes asset, cash, capital, inventory, labor, staff, debt, liability, intellectual property, customer preference, competitors' actions and plans, suppliers' actions and plans so as to determine an optimized business action or plan from an integrated and long term perspective.

Claim 9 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of recognizing at least one of speech, language, emotion, social intelligent, character and characteristics of at least one of the participants by analyzing acoustic or imagery signals collates with the at least one of the participants.

Claim 10 (Original): A computer-implemented method for facilitating a services marketplace according to claim 7, further comprising a step of recognizing at least one of speech, language, emotion, social intelligent, character and characteristics of at least one of the participants by analyzing acoustic or imagery signals collates with the at least one of the participants in conjunction with the at least one transactional attribute of one, a portion, or all of the participants.

Claim 11 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of referring business among the

participants based upon the results of the registration step or the ~~at least one offer~~offers and ~~one request~~requests for offers.

Claim 12 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, wherein the registering step further including registering at least one charity and one donor, wherein the ~~least one offer~~offers and ~~one request~~requests include at least one offer to donate services and one request for donating services.

Claim 13 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1, wherein some of the participants are in locations without sufficient internet infrastructure.

Claim 14 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising providing a retaining agent to execute all steps in the method, wherein the retaining agent is equipped with artificial intelligence.

Claim 15 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of taking or sharing risk with at least one of the participants.

Claim 16 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of collecting fees or commission at least one of the participants for executing any one of the other steps in the method.

Claim 17 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of promoting at least one of the offer and the request ~~or services~~ of at least one of the participants.

Claim 18 (Original): A computer-implemented method for facilitating a services marketplace according to claim 3, wherein the settling step including forwarding payment via a mode selected from the group consisting of credit card information, debit card information, electronic cash information, billing, invoicing, bartering or other non-monetary consideration, and combinations thereof.

Claim 19 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of gap-filling any unspecific material terms in the ~~at least one offer~~ offers and ~~one request for offers~~ requests with a set of default terms or gap-fillers.

Claim 20 (Original): A computer-implemented method for facilitating a services marketplace according to claim 7, further comprising a step of predicting behavior of the participants or market based on the result generated by the data-mining step, a set of predetermined operational constrains of one participant, and casual relationships and sensitivities among the factors.

Claim 21 (Original): A computer-implemented method for facilitating a services marketplace according to claim 20, further comprising a step of optimizing profits of the participant based on the result generated by the predicting step.

Claim 22 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 9, whereby ~~detecting biometrics detect and analyzing analyze~~ body language or pulse, temperature of the participant so as to recognize the emotion, social intelligence, character or characteristics of the participant.

Claim 23 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, wherein the matched offer and the matched request ~~for offers~~ automatically becomes binding as soon as the result generated by the evaluating and matching step is sent or communicated to the matched participants according to said set of material terms recited in the matched offer and matched request ~~for offers~~.

Claim 24 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, wherein the matched offer and the matched request ~~for offers~~ are still open according to said set of material terms recited in the matched offer and matched request ~~for offers~~, and the matched participants may elect to continue or stop negotiating.

Claim 25 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, wherein a participant limits other participants from submitting

multiple offers of requests ~~for offer~~ to probe for undisclosed material terms in said set of material terms recited in the at least one offer and one request ~~for offers~~.

Claim 26 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of authenticating credit of the participants or the matched participants.

Claim 27 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of authenticating one or more selected material terms recited in the offer and the request ~~for offers~~.

Claim 28 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, further comprising a step of hosting a site or a website accessible to the participants for posting or browsing the at least one offer offers and requests one request ~~for offers~~.

Claim 29 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 2, further comprising a step of screening access of the participants according to a screening criteria recited in the at least one offer offers and requests one request ~~for offers~~.

Claim 30 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 6, further comprising a step of screening access of the

participants to the sessions according to a screening criteria recited in the ~~at least one offer~~offers and ~~requests one request for offers~~.

Claim 31 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1, wherein the material terms recited in the offer and the request ~~for offers~~ are prioritized or weighted, and the evaluating and matching step including a step of establishing a hierarchy of offers or requests ~~for offers~~ based on the prioritized or weighted material terms.

Claim 32 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 28, further comprising a step of representing at least one of the participants or the retaining agent in an actual or artificial two dimensional, three-dimensional, ~~six dimensional~~ or holographic image.

Claim 33 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1, wherein the services include service packages each of which contains two or more complementary or co-branding services.

Claim 33 (Original): A computer-implemented method for facilitating a services marketplace according to claim 28, further comprising encrypting all communication among the participants or between the participants and the site or the website.

Claim 34 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1, wherein said material terms are established by trade associations or professional associations.

Claim 35 (Original): A computer-implemented method for facilitating a services marketplace according to claim 24, wherein the negotiation is continued by sending counter offers.

Claim 36 (Currently amended): A computer-implemented method for creating a services marketplace according to claim 6, whereby offers or requests ~~for offers~~ are incrementally pooled into one collective retainer and a retaining group is formed at the end of the accumulating session.

Claim 37 (Original): A computer-implemented method for creating a services marketplace according to claim 36, wherein said retaining group includes members at different geographic locations.

Claim 38 (Original): A computer-implemented method for creating a services marketplace according to claim 36, wherein the members are affiliated via at least one of affiliated entities, agents, brokers, distributors, franchises, other cooperative relationships, associations, other types of non-profit organizations.

Claim 39 (Original): A computer-implemented method for creating a services marketplace according to claim 36, wherein the members are non-related but for selling or buying said services.

Claim 40 (Currently amended): A computer-implemented method for creating a services marketplace according to claim 1, wherein the ~~at least one offer-offers~~ and ~~one request-isrequests~~ are accepted, conditionally accepted, rejected or countered based upon the result generated by the evaluating and matching step.

Claim 41 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 9, further comprising a step of representing at least one of the participants or the retaining agent in a two-dimensional, three-dimensional, ~~six-dimensional~~ or holographic image according to spoken or written commands of the at least of the participants based on the result generated by the recognizing step.

Claim 42 (Original): A computer-implemented method for facilitating a services marketplace according to claim 9, whereby the imagery signals of the participant is taken to compute features of the participant including lip separation, lip shape and intrusion depth parameters, so as to characterize and discriminate spoken phonemes of the participant.

Claim 43 (Original): A computer-implemented method for facilitating a services marketplace according to claim 42, whereby said spoken phonemes of the participant is normalized to be compared with reference languages so to identify the language used by the participant.

Claim 44 (Original): A computer-implemented method for facilitating a services marketplace according to claim 43, whereby the identified language is translated into another language in texts, voice or sight language.

Claim 45 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 44, whereby said voice or sight language is represented in an actual or artificial two-dimensional, three-dimensional, ~~six-dimensional~~ or holographic figure of the participant.

Claim 46 (Original): A computer-implemented method for facilitating a services marketplace according to claim 7, wherein the at least one transactional attribute include consumption profiles, habits and preferences.

Claim 47 (Original): A computer-implemented method for facilitating a services marketplace according to claim 4, whereby said body language-analyzing step includes:
taking a plurality of sequential actual images of the speaker;
extracting data on predetermined regions or features of the speaker from said plurality of sequential actual images;
comparing said data of every two of said sequential actual images to generate predicated images of the predetermined regions or features of the speaker with at least one facial expression algorithm;

further comparing the predicated images with the predetermined regions or features and the actual images taken and extracted immediately after said every two of said sequential actual images;

modifying said facial expression algorithm according to the comparing result of the predicted images and said actual images.

Claim 48 (Original): A computer-implemented method for facilitating a services marketplace according to claim 47, wherein the further comparing step is triggered only if the comparing step decides that the speaker demonstrated a negative emotion including anger, sadness, and fear.

Claim 49 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1 further comprising a step of balancing the load of a cluster of computers that function together as a single entity for executing the method.

Claim 50 (Original): A computer-implemented method for facilitating a services marketplace according to claim 1 further comprising a step of assigning at least one of the participants an identification number so as to keep the participant anonymous.

Claim 51 (Currently amended): A computer-implemented method for facilitating a services marketplace according to claim 1 further comprising a step of translating the ~~at least one offer~~ offers and ~~one request for offer~~ requests into a predetermined computer language or format.

Claim 52 (Original): A computer-implemented method for facilitating a services marketplace according to claim 11 further comprising rewarding a referrer which makes the referral.

Claim 53 (Original): A computer-implemented method for creating a services marketplace according to claim 1, wherein the material terms include at least one of geographic restrictions which include labor, unions, professional licenses, local contains requirements, heavy equipment or materials, or unique characteristics of products originated from a specific geographic location.

Claim 54 (Original): A computer-implemented method for creating a services marketplace according to claim 1 further comprising a step of executing at least one per scheduled purchase for at least one of the participants according to a set of pre-set preferences or criteria.

Claim 55 (Original): A computer-implemented method for creating a services marketplace according to claim 54, wherein the at least one of the participants orders an agent to automatically and systematically purchase lottery tickets according to criteria of types of lotteries, numbers and dates.

Claim 56 (Original): A computer-implemented method for creating a services marketplace according to claim 1 further comprising a step of auctioning and scheduling guest speakers services for guest speakers.

Claim 57 (Original): A computer-implemented method for creating a services marketplace according to claim 1 further comprising a step of matching employment opportunities initiated by an employer, a job-seeker, or a head-hunter.

Claim 58 (Currently amended): A computer-implemented method for creating a services marketplace according to claim 1 further comprising an alternative evaluating and matching step in case that two or more offers or requests ~~for offers~~ having a same degree of identicalness of said set of service classification and material terms recited in the offer and the request ~~for offer~~.

Claim 59 (Cancelled).

Claim 60 (Withdrawn): An apparatus for facilitating a services marketplace, comprising:
means for defining a set of service classification and material terms; means for registering a plurality of participants of the service marketplace;
means for searching and compiling at least one offer and one request for offers provided by said participants for selling or buying services, wherein the offer and the request for offer is described in said set of service classification and material terms;
means for automatically evaluating and matching the offer and the request for offer based upon the degree of identicalness of said set of service classification and material terms recited in the offer and the request for offer; and
means for communicating to matched participants of the result generated by the evaluating and matching means.

Claim 61 (Withdrawn): An apparatus for facilitating a services marketplace according to claim 60 further comprising means for compressing imagery data, and a computer network, fiber optics or satellite system for transmitting said data.

Claim 62 (Withdrawn): An apparatus for facilitating a services marketplace according to claim 61 further comprising means for decompressing and restoring the imagery data, wherein the imagery data contain holographic imagery data.

Claim 63 (Withdrawn): An apparatus for facilitating a services marketplace according to claim 60 further comprising at least one sensor for sensing smell, touch, taste, pulse, body temperature, body language, or heart beats of at least one of said participants so as to diagnosing the participant of to decide whether the at least one of said participants is lying, or for sensing temperature and characteristics of a commercial or research material.

Claim 64 (Withdrawn): An apparatus for facilitating a services marketplace according to claim 63, wherein the sensor include laser devices or chips with neuron technology built in.

Claim 65 (Withdrawn): An apparatus for facilitating a services marketplace according to claim 63, wherein the sensor is remotely controlled by another participant.

Claim 66 (Withdrawn): An apparatus for facilitating a services marketplace according to claim 60, further comprising recognizing means for recognizing at least one of speech, language, emotion, social intelligent, character and characteristics of at least one of the participants with at

least one sensor for sensing smell, touch, taste, pulse, body temperature, body language, heart beats, acoustic or imagery signals collected from the at least one of the participants.

Claim 67 (Cancelled).

Claim 68 (Withdrawn): A computer-implemented method for determine an optimized business action or plan from an integrated and long term perspective, comprising:
data-mining customer or market information to discover at least one transactional attribute of one consumer, a market sector, or a market; and
simulating the market based upon the results of the data-mining step and operational constrains of one of said participants, wherein the operational constrains includes asset, cash, capital, inventory, labor, staff, debt, liability, intellectual property, customer preference, competitors' actions and plans, suppliers' actions and plans so as to determine an optimized business action or plan from an integrated and long term perspective.

Claim 69 (Withdrawn): A computer-implemented method for determining IQ of a subject comprising:
sensing touch and size of fingertips of the subject so as to decide the age of the subject;
recording information entered by the subject while the subject surfs the web;
comparing said information with reference data of other subjects of the same age; and
determine the IQ of the subject, wherein the information includes accuracy of spelling, words, topics, interests, mathematical inputs.

Claim 70 (Withdrawn): A method for automatically contacting 911 for emergency services comprising:

providing a sensor and a communicating device;

sensing a body temperature, body language, and heart beats of a person with the sensor;

comparing the body temperature, body language, and heart beats with reference safe ranges;

automatically contacting 911 for emergency services with the communicating device if the body temperature, body language, and heart beats fall outside of reference safe ranges.

Claims 71-72 (Cancelled).

Claim 73 (Withdrawn): A computer-implemented method for facilitating auctions of services, comprising:

defining a set of service classification and material terms;

registering a plurality of participants of the service marketplace;

posting or disseminating an initial request for offers or an initial offer described in said set of service classification and material terms;

searching via all servers connected to internet for blank offers or blank request for offers or

collecting responsive offers or responsive request for offers until automatically matching one offer or request for offers with service classification and material terms identical as

those described in the initial request for offers or the initial offer; and

settling a transaction between matched participants.

Claim 74 (New): A computer-implemented method for facilitating a services marketplace between buyers and sellers of services, comprising:

- defining a set of service classification and material terms;
- registering a plurality of participants of the service marketplace;
- communicating offers to sell services and requests to buy services provided by said participants, wherein the offers and the requests are described in said set of service classification and material terms;
- automatically evaluating and matching the offers and the requests, without human intervention, based upon the degree of identicalness of said set of service classification and material terms recited in the offers and the requests;
- communicating to matched participants of the result generated by the evaluating and matching step; and
- bartering a transaction between the matched participants based upon said set of service classification and material terms recited in the matched offer and the matched request.

Claim 75 (New): A computer-implemented method for facilitating a services marketplace between buyers and sellers of services, comprising:

defining a set of service classification and material terms;

registering a plurality of participants of the service marketplace;

compiling offers to sell services and requests to buy services provided by said participants,

wherein the offers and the requests are described in said set of service classification and material terms;

automatically evaluating and matching the offers and the requests, without human intervention,
based upon the degree of identicalness of said set of service classification and material
terms recited in the offers and the requests;
communicating to matched participants of the result generated by the evaluating and matching
step; and
data-mining the offers and the requests to discover at least one attribute of one, a portion, or all
of the participants.

REMARKS

Applicant acknowledges and appreciates the interview with Examiner Sherr on April 5, 2006. Based upon the interview, Applicant has amended claim 1 and added new independent claims 74 and 75 so as to narrow the scope of the claims and place the application in form for allowance.

The Office Action indicates that the claims pending are 1-3, 5, 16, 18, 23-29, 31, 32, 35, 41 and 50. Applicant notes that claims 51-58 are also pending, with claims 59 and 67 being cancelled, and the other claims being dependent from claim 1. Consideration of all pending claims is respectfully requested, including new claims 74 and 75 submitted herewith.

Claims 32 and 41 have been rejected under 35 U.S.C. § 101 due to the phrase "six-dimensional". Applicant has amended claims 32, 41 and 45 to delete this terminology, such that the § 101 rejection is moot.

Claims 1-3, 5, 16, 18, 23-29, 31, 32, 35, 41 and 50 have been rejected under 35 U.S.C. § 103 as being obvious over Dangat. Applicant respectfully traverses this rejection, and requests reconsideration of these claims, as amended.

Independent claim 1 is directed towards a computer implemented method for facilitating a services marketplace between buyers and sellers of services. Claim 1 requires the step of 1) defining a set of service terms, 2) registering participants for the marketplace, 3) searching and compiling offers to sell and requests to buy services which are described in the service terms, 4) automatically evaluating and matching the offer and request, without human intervention, based upon the degree of identicalness of the service terms recited in the offer and request, and 5) communicating the results of the evaluating and matching step to the participants. The Dangat patent does not teach or suggest these steps, as required by claim 1.

More particularly, as the Examiner acknowledges in paragraph 7 of the Office Action, Dangat teaches a method of matching assets with demands in microelectronic manufacturing. Dangat does not relate to a service marketplace, and does not involve buyers and sellers of services, in accordance with claim 1. Rather, Dangat discloses a decision model for scheduling multiple manufacturing processes for the microelectronics. Thus, Dangat is simply a computer-assisted manufacturing scheduling process. Claim 1 has nothing to do with manufacturing scheduling. Thus, Dangat is nonanalogous art. Dangat is not in the same field of endeavor as the present invention, and does not relate to the problems of the present invention.

As stated on page 1, paragraph 1 of the present application, the field of the present invention generally relates to a method and system for facilitating service transactions between service providers and purchasers for services, automatically and without human intervention, and more particularly to a computer-implemented method/system that provides a service marketplace for transacting services driven by purchasers or by the service providers. In comparison, the field of endeavor for Dangat is a computer implemented manufacturing schedule for microelectronic products. Thus, Dangat fails the first prong of the nonanalogous art test.

The problem addressed by the present invention is a practical, computer-implemented service marketplace which automatically, and without human intervention, matches buyers and sellers of services based upon the material terms of the offered and requested services, as described in paragraphs 2-7 of the application. In comparison, the problem addressed by Dangat is matching assets to a manufacturing time schedule, based on three types of matching: 1) material requirement planning matching, 2) best can do matching, and 3) projected supply planning matching, as described in the Abstract of Dangat. Therefore, Dangat also fails the second prong of the nonanalogous art test.

Furthermore, claim 1 has been amended to require that the offers to sell services are unknown to the service buyers and the requests to buy services are unknown to the service sellers prior to the communicating step. Dangat does not meet this limitation, since the offers and requests to manufacture the microelectronic products are necessarily known to the "seller" and "buyer", since the "offers" and "requests" are all known within the manufacturer for the microelectronic products. There are no unknown parties to the Dangat manufacturing process with respect to the "requests" and "offers" to schedule and manufacture the microelectronic products. In the present invention, the engine which runs the service marketplace matches offers and requests which are unknown to the participants, automatically and without human intervention based upon the terms submitted by the potential buyers and sellers.

Since Dangat is nonanalogous art, and since Dangat does not meet the limitations of claim 1, claim 1 distinguishes over Dangat so as to be in proper form for allowance, along with all claims depending from claim 1.

New independent method claim 74 is similar to claim 1, including the step of evaluating and matching offers and requests automatically, without human intervention. Claim 74 adds a bartering step to the method. Such a bartering step was previously included in dependent claim 18, and thus is not new matter. Specifically, claim 74 requires the step of "bartering a transaction between the participants based upon said set of service classification and material terms recited in the matched offer and the matched request." Dangat does not have such a bartering step, such that claim 74 distinguishes over Dangat so as to be allowable.

New independent method claim 75 is similar to claim 1, requiring the step of automatically evaluating and matching the offers and requests without human intervention. Also, claim 75 includes the step of "data-mining the offers and the requests to discover at least one

attribute of one, a portion, or all of the participants." This data-mining step is also found in original dependent claim 7, and thus does not constitute new matter. The Dangat patent does not teach or suggest such a data-mining step, such that claim 7 distinguishes over Dangat so as to be in proper form for allowance.

The dependent claims have been amended so as to provide proper antecedent support for claim terminology, in view of the amendment to claim 1.

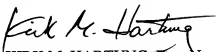
Applicant also investigated the GURU internet site discussed with the Examiner at the interview. Applicant understands GURU to be an on-line site where potential employers can post a job and potential workers can post resumes. There is no automatic evaluation and matching, as in the claims. Rather the potential employers and employees must manually search for one another on-line and then personally initiate communication amongst themselves. Thus, GURU requires extensive human interaction, contrary to the automatic services marketplace of the present invention.

In view of the foregoing, Applicant respectfully requests that a Notice of Allowance be issued.

Please consider this a one-month extension of time from March 19, 2006 to April 19, 2006 and charge Deposit Account No. 26-0084 the amount of 60.00 for this extension. No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



KIRK M. HARTUNG, Reg. No. 31,021
McKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No: (515) 288-3667
Fax No: (515) 288-1338
CUSTOMER NO: 22885

- bja/pw -

Attorneys of Record